

Draft 6th Update “Compliance With State Law” Issues
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Issue #36 Helicopter Landing Facilities

§68.0205 — License Required

~~No person shall operate or maintain a heliport or helistop without first obtaining a license from the City, applications for which shall be made in writing to the City Manager.~~

Issue #37 Family Child Care Homes

§131.0222 Use Regulations Table for Open Space Zones

[No change.]

**Table 131-02B
Use Regulations Table of Open Space Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones				
	1st & 2nd >>	OP-		OC-	OR ⁽¹⁾ -	OF ⁽¹²⁾ -
	3rd >>	1-	2-	1-	1-	1-
	4th >>	1	1	1	1 2	1
Open Space through Retail Sales [No change.]						
Commercial Services						
Building Services		-	-	-	-	-
Business Support		-	-	-	-	-
Eating & Drinking Establishments	p ⁽²⁾	-	-	-	-	-
Financial Institutions		-	-	-	-	-
Funeral & Mortuary Services		-	-	-	-	-
Maintenance & Repair		-	-	-	-	-
Off-site Services		-	-	-	-	-
Personal Services		-	-	-	-	-
Assembly & Entertainment	p ⁽²⁾	-	-	-	-	-
Radio & Television Studios		-	-	-	-	-
Visitor Accommodations		-	-	-	-	-
Separately Regulated Commercial Services Uses						
Adult Entertainment Establishments:						
Adult Book Store		-	-	-	-	-
Adult Cabaret		-	-	-	-	-
Adult Drive-In Theater		-	-	-	-	-

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones				
	1st & 2nd >>		OP-		OC-	OR ⁽¹⁾	OF ⁽¹²⁾
	3rd >>		1-	2-	1-	1-	1-
	4th >>		1	1	1	1 2	1
Adult Mini-Motion Picture Theater			-	-	-	-	-
Adult Model Studio			-	-	-	-	-
Adult <i>Motel</i>			-	-	-	-	-
Adult Motion Picture Theater			-	-	-	-	-
Adult Peep Show Theater			-	-	-	-	-
Adult Theater			-	-	-	-	-
Body Painting Studio			-	-	-	-	-
Massage Establishment			-	-	-	-	-
Sexual Encounter Establishment			-	-	-	-	-
Bed & Breakfast Establishments:							
1-2 Guest Rooms			-	-	-	N	-
3-5 Guest Rooms			-	-	-	N	-
6+ Guest Rooms			-	-	-	C	-
Boarding Kennels			-	-	-	-	-
Camping Parks			C	C	-	-	C ⁽⁷⁾
Child Care Facilities:							
Child Care Centers			C ⁽²⁾	-	-	-	-
Large Family Day Child Care Homes			-	-	-	L	-
Small Family Day Child Care Homes			-	-	-	P L	-
Eating and Drinking Establishments Abutting Residentially Zoned Property			-	-	-	-	-
Fairgrounds			-	-	-	-	C ⁽⁷⁾
Golf Courses, Driving Ranges, and Pitch & Putt Courses			C	C	-	C ⁽⁹⁾	C ⁽¹¹⁾
Helicopter Landing Facilities			-	-	-	-	C ⁽¹¹⁾
Instructional Studios			C	C	-	-	-
Massage Establishments, Specialized Practice			-	-	-	-	-
Nightclubs & Bars over 5,000 square feet in size			-	-	-	-	-
Parking Facilities as a <i>primary use</i> :							
Permanent Parking Facilities			-	-	-	-	-
Temporary Parking Facilities			-	-	-	-	-
Private Clubs, Lodges and Fraternal Organizations			-	-	-	-	-
Privately Operated, Outdoor Recreation Facilities over 40,000 square feet in size ⁽³⁾			C ⁽²⁾	-	-	-	-
Pushcarts:							

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones				
	1st & 2nd >>	OP-		OC-	OR ⁽¹⁾	OF ⁽¹²⁾
	3rd >>	1-	2-	1-	1-	1-
	4th >>	1	1	1	1	2
Pushcarts on Private Property	L	-	-	-	-	-
Pushcarts in Public-Right-of-Way	N	-	-	-	-	-
Recycling Facilities:						
Large Collection Facility	-	-	-	-	-	-
Small Collection Facility	-	-	-	-	-	-
Large Construction & Demolition Debris <i>Recycling Facility</i>	-	-	-	-	-	-
Small Construction & Demolition Debris <i>Recycling Facility</i>	-	-	-	-	-	-
Drop-off Facility	L	L	-	-	-	-
Green Materials Composting Facility	-	-	-	-	-	-
Mixed Organic Composting Facility	-	-	-	-	-	-
Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic	-	-	-	-	-	-
Large Processing Facility Accepting All Types of Traffic	-	-	-	-	-	-
Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables From Commercial & Industrial Traffic	-	-	-	-	-	-
Small Processing Facility Accepting All Types of Traffic	-	-	-	-	-	-
Reverse Vending Machines	-	-	-	-	-	-
Tire Processing Facility	-	-	-	-	-	-
Sidewalk Cafes	-	-	-	-	-	-
Sports Arenas & Stadiums	-	-	-	-	-	-
Theaters that are outdoor or over 5,000 square feet in size	P ⁽²⁾	-	-	-	-	-
Urgent Care Facilities	-	-	-	-	-	-
Veterinary Clinics & Animal Hospitals	-	-	-	-	-	-
Zoological Parks	C	-	-	-	-	-
Offices through <i>Signs</i> [No change.]						

§131.0322 Use Regulations Table for Agricultural Zones

[No change.]

Table 131-03B
Use Regulations Table of Agricultural Zones

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones	
	1st & 2nd >>	AG	AR

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	3rd >>	1-		1-	
		1	2	1	2
Open Space through Retail Sales [No change.]					
Commercial Services					
Building Services		-		-	
Business Support		-		-	
Eating & Drinking Establishments		-		-	
Financial Institutions		-		-	
Funeral & Mortuary Services		-		-	
Maintenance & Repair		-		-	
Off-Site Services		-		-	
Personal Services		-		-	
Assembly & Entertainment		-		-	
Radio & Television Studios		-		-	
Visitor Accommodations		-		-	
Separately Regulated Commercial Services Uses					
Adult Entertainment Establishments:		-		-	
Adult Book Store		-		-	
Adult Cabaret		-		-	
Adult Drive-In Theater		-		-	
Adult Mini-Motion Picture Theater		-		-	
Adult Model Studio		-		-	
Adult <i>Motel</i>		-		-	
Adult Motion Picture Theater		-		-	
Adult Peep Show Theater		-		-	
Adult Theater		-		-	
Body Painting Studio		-		-	
Massage Establishment		-		-	
Sexual Encounter Establishment		-		-	
Bed & Breakfast Establishments:					
1-2 Guest Rooms		-		L(10)	
3-5 Guest Rooms		-		N(10)	
6+ Guest Rooms		-		C(10)	
Boarding Kennels		-		L	
Camping Parks		-		C	
<i>Child Care Facilities:</i>					
Child Care Centers		-		C ⁽⁹⁾	
Large Family Day Child Care Homes		-		L ⁽⁹⁾	

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones			
	1st & 2nd >>	AG		AR	
		3rd >>		1-	
		4th >>		1	2
Small Family Day Child Care Homes		-		P L	
Eating and Drinking Establishments Abutting Residentially Zoned Property		-		-	
Fairgrounds		-		C	
Golf Courses, Driving Ranges, and Pitch & Putt Courses		-		C	
Helicopter Landing Facilities		-		C	
Instructional Studios		-		-	
Massage Establishments, Specialized Practice		-		-	
Nightclubs & Bars over 5,000 square feet in size		-		-	
Parking Facilities as a <i>Primary Use</i> :					
Permanent Parking Facilities		-		-	
Temporary Parking Facilities		-		-	
Private Clubs, Lodges and Fraternal Organizations		-		-	
Privately Operated, Outdoor Recreation Facilities over 40,000 square feet in size ⁽⁵⁾		-		C	
Pushcarts					
Pushcarts on Private Property		-		-	
Pushcarts in <i>public right-of-way</i>		-		-	
Recycling Facilities:					
Large Collection Facility		-		N ⁽⁹⁾	
Small Collection Facility		-		L	
Large Construction & Demolition Debris <i>Recycling Facility</i>		-		-	
Small Construction & Demolition Debris <i>Recycling Facility</i>		-		-	
Drop-off Facility		-		-	
Green Materials Composting Facility		L		N	
Mixed Organic Composting Facility		C		C	
Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic		-		-	
Large Processing Facility Accepting All Types of Traffic		-		-	
Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables From Commercial & Industrial Traffic		-		-	
Small Processing Facility Accepting All Types of Traffic		-		-	
Reverse Vending Machines		-		-	
Tire Processing Facility		-		-	

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones			
	1st & 2nd >>	AG		AR	
	3rd >>	1-		1-	
	4th >>	1	2	1	2
Sidewalk Cafes		-		-	
Sports Arenas & Stadiums		-		-	
Theaters that are outdoor or over 5,000 square feet in size		-		-	
Urgent Care Facilities		-		-	
Veterinary Clinics & Animal Hospitals		-		C	
Zoological Parks		C		C	
Offices through <i>Signs</i> [No change.]					

§131.0422 Use Regulations Table for Residential Zones

[No change.]

Table 131-04B
Use Regulations Table of Residential Zones

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																							
	1st & 2nd >>	RE-		RS-												RX-		RT-							
		3rd >>	1-		1-												1-		1-						
			4th >>	1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2	3

Open Space through Retail Sales [No change.]

Commercial Services

Building Services	-		-		-	
Business Support	-		-		-	
Eating & Drinking Establishments	-		-		-	
Financial Institutions	-		-		-	
Funeral & Mortuary Services	-		-		-	
Maintenance & Repair	-		-		-	
Off-Site Services	-		-		-	
Personal Services	-		-		-	
Radio & Television Studios	-		-		-	
Assembly & Entertainment	-		-		-	
Visitor Accommodations	-		-		-	
Separately Regulated Commercial Services Uses						
Adult Entertainment Establishments:						
Adult Book Store	-		-		-	
Adult Cabaret	-		-		-	

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Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones																							
	1st & 2nd >>	RE-	RS-														RX-		RT-							
		3rd >>	1-	1-														1-		1-						
			4th >>	1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2	3	4
Adult Drive-In Theater		-	-														-		-							
Adult Mini-Motion Picture Theater		-	-														-		-							
Adult Model Studio		-	-														-		-							
Adult Motel		-	-														-		-							
Adult Motion Picture Theater		-	-														-		-							
Adult Peep Show Theater		-	-														-		-							
Adult Theater		-	-														-		-							
Body Painting Studio		-	-														-		-							
Massage Establishment		-	-														-		-							
Sexual Encounter Establishment		-	-														-		-							
Bed & Breakfast Establishments:																										
1-2 Guest Rooms		N	N														N		-							
3-5 Guest Rooms		N	C														C		-							
6+ Guest Rooms		C	C														-		-							
Boarding Kennels		-	-														-		-							
Camping Parks		-	-														-		-							
Child Care Facilities:																										
Child Care Centers		C	C														C		C							
Large Family Day Child Care Homes		L	L														L		L							
Small Family Day Child Care Homes		P L	P L														P-P L		P L							
Eating and Drinking Establishments Abutting Residentially Zoned Property		-	-														-		-							
Fairgrounds		-	-														-		-							
Golf Courses, Driving Ranges, and Pitch & Putt Courses		C	C														C		C							
Helicopter Landing Facilities		-	-														-		-							
Instructional Studios		-	-														-		-							
Massage Establishments, Specialized Practice		-	-														-		-							
Nightclubs & Bars over 5,000 square feet in size		-	-														-		-							
Parking Facilities as a Primary Use:																										
Permanent Parking Facilities		-	-														-		-							
Temporary Parking Facilities		-	-														-		-							
Private Clubs, Lodges and Fraternal Organizations		-	-														-		-							
Privately Operated, Outdoor Recreation Facilities over 40,000 square feet in size ⁽⁴⁾		-	-														-		-							
Pushcarts:																										

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Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator			Zones																							
	1st & 2nd >>			RE-	RS-														RX-		RT-						
	3rd >>			1-	1-														1-		1-						
	4th >>			1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2	3	4	
Pushcarts on Private Property				-															-								
Pushcarts in <i>public right-of-way</i>				-															-								
Recycling Facilities:																											
Large Collection Facility				-															-								
Small Collection Facility				-															-								
Large Construction & Demolition Debris <i>Recycling Facility</i>				-															-								
Small Construction & Demolition Debris <i>Recycling Facility</i>				-															-								
Drop-off Facility				-															-								
Green Materials Composting Facility				-															-								
Mixed Organic Composting Facility				-															-								
Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic				-															-								
Large Processing Facility Accepting All Types of Traffic				-															-								
Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables From Commercial & Industrial Traffic				-															-								
Small Processing Facility Accepting All Types of Traffic				-															-								
Reverse Vending Machines				-															-								
Tire Processing Facility				-															-								
Sidewalk Cafes				-															-								
Sports Arenas & Stadiums				-															-								
Theaters that are outdoor or over 5,000 square feet in size				-															-								
Urgent Care Facilities				-															-								
Veterinary Clinics & Animal Hospitals				-															-								
Zoological Parks				-															-								
Offices through <i>Signs</i> [No change.]																											

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones											
	1st & 2nd >>		RM-											
	3rd >>		1-			2-			3-			4-		5-
	1	2	3	4	5	6	7	8	9	10	11	12		
Open Space through Retail Sales [No change.]														

Commercial Services														
Building Services	-			-			-			-			-	

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Business Support	-	-	-	-	-
Eating & Drinking Establishments	-	-	-	-	-
Financial Institutions	-	-	-	-	-
Funeral & Mortuary Services	-	-	-	-	-
Maintenance & Repair	-	-	-	-	-
Off-Site Services	-	-	-	-	-
Personal Services	-	-	p ⁽⁹⁾	p ⁽⁹⁾	p ⁽⁹⁾
Assembly & Entertainment	-	-	-	-	-
Radio & Television Studios	-	-	-	-	-
Visitor Accommodations	-	-	-	p ⁽⁶⁾	p ⁽⁶⁾
Separately Regulated Commercial Services Uses					
Adult Entertainment Establishments:					
Adult Book Store	-	-	-	-	-
Adult Cabaret	-	-	-	-	-
Adult Drive-In Theater	-	-	-	-	-
Adult Mini-Motion Picture Theater	-	-	-	-	-
Adult Model Studio	-	-	-	-	-
Adult <i>Motel</i>	-	-	-	-	-
Adult Motion Picture Theater	-	-	-	-	-
Adult Peep Show Theater	-	-	-	-	-
Adult Theater	-	-	-	-	-
Body Painting Studio	-	-	-	-	-
Massage Establishment	-	-	-	-	-
Sexual Encounter Establishment	-	-	-	-	-
Bed & Breakfast Establishments:					
1-2 Guest Rooms	L	L	L	P	P
3-5 Guest Rooms	N	N	L	P	P
6+ Guest Rooms	C	N	N	P	P
Boarding Kennels	-	-	-	-	-
Camping Parks	-	-	-	-	-
<i>Child Care Facilities:</i>					
Child Care Centers	C	C	C	C	-
Large Family Day Child Care Homes	L	L	L	L	-
Small Family Day Child Care Homes	P L	P L	P L	P L	-
Eating and Drinking Establishments Abutting Residentially Zoned Property	-	-	-	-	-
Fairgrounds	-	-	-	-	-
Golf Courses, Driving Ranges, and Pitch & Putt Courses	C	C	C	C	-
Helicopter Landing Facilities	-	-	-	-	-

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Instructional Studios	-	-	-	-	-
Massage Establishments, Specialized Practice	-	-	-	-	-
Nightclubs & Bars over 5,000 square feet in size	-	-	-	-	-
Parking Facilities as a <i>Primary Use</i> :					
Permanent Parking Facilities	-	-	-	-	-
Temporary Parking Facilities	-	-	-	-	-
Private Clubs, Lodges and Fraternal Organizations	-	-	-	-	P
Privately Operated, Outdoor Recreation Facilities over 40,000 square feet in size ⁽⁴⁾	-	-	-	-	-
Pushcarts:					
Pushcarts on Private Property	-	-	-	-	-
Pushcarts in Public Right of Way	-	-	-	-	-
Recycling Facilities:					
Large Collection Facility	-	-	-	-	-
Small Collection Facility	-	-	-	-	-
Large Construction & Demolition Debris Recycling Facility	-	-	-	-	-
Small Construction & Demolition Debris Recycling Facility	-	-	-	-	-
Drop-off Facility	-	-	-	-	-
Green Materials Composting Facility	-	-	-	-	-
Mixed Organic Composting Facility	-	-	-	-	-
Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic	-	-	-	-	-
Large Processing Facility Accepting All Types of Traffic	-	-	-	-	-
Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables From Commercial & Industrial Traffic	-	-	-	-	-
Small Processing Facility Accepting All Types of Traffic	-	-	-	-	-
Reverse Vending Machines	-	-	-	-	-
Tire Processing Facility	-	-	-	-	-
Sidewalk Cafes	-	-	-	-	-
Sports Arenas & Stadiums	-	-	-	-	-
Theaters That Are Outdoor or over 5,000 Square Feet in Size	-	-	-	-	-
Urgent Care Facility	-	-	-	-	-
Veterinary Clinics & Animal Hospitals	-	-	-	-	-
Zoological Parks	-	-	-	-	-
Offices through <i>Signs</i> [No change.]					

§131.0522 Use Regulations Table of Commercial Zones

[No change.]

Table 131-05B
Use Regulations Table for Commercial Zones

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator			Zones											
	1st & 2nd >>	CN ⁽¹⁾ -			CR-		CO-		CV-		CP-				
		3rd >>	1-			1-	2-	1-		1-		1-			
			4th >>	1	2	3	1	1	1	2	1	2	1		
Open Space through Retail Sales [No change.]															
Commercial Services															
Building Services				-			P	P	p ⁽⁶⁾		-		-		
Business Support				P			P	P	p ⁽⁷⁾		-		-		
Eating & Drinking Establishments				p ⁽⁴⁾			P	P	p ⁽⁵⁾		P		-		
Financial Institutions				P			P	P	P		-		-		
Funeral & Mortuary Services				-			P	P	-		-		-		
Maintenance & Repair				P			P	P	p ⁽⁶⁾		-		-		
Off-site Services				-			P	P	-		-		-		
Personal Services				P			P	P	-		P		-		
Assembly & Entertainment				-			P	P	-		P		-		
Radio & Television Studios				-			P	P	-		-		-		
Visitor Accommodations				-			P	P	-		P		-		
Separately Regulated Commercial Services Uses															
Adult Entertainment Establishments:															
Adult Book Store				L			L	L	-		-		-		
Adult Cabaret				-			L	L	-		L		-		
Adult Drive-In Theater				-			L	L	-		L		-		
Adult Mini-Motion Picture Theater				-			L	L	-		L		-		
Adult Model Studio				L			L	L	-		L		-		
Adult <i>Motel</i>				-			L	L	-		L		-		
Adult Motion Picture Theater				-			L	L	-		L		-		
Adult Peep Show Theater				-			L	L	-		L		-		
Adult Theater				-			L	L	-		L		-		
Body Painting Studio				L			L	L	-		L		-		
Massage Establishment				L			L	L	-		-		-		
Sexual Encounter Establishment				L			L	L	-		L		-		

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones									
	1st & 2nd >>	CN ⁽¹⁾ -			CR-		CO-		CV-		CP-
	3rd >>	1-			1-	2-	1-		1-		1-
	4th >>	1	2	3	1	1	1	2	1	2	1
Bed & Breakfast Establishments:											
1-2 Guest Rooms		-			P	P	-		P		-
3-5 Guest Rooms		-			P	P	-		P		-
6+ Guest Rooms		-			P	P	-		P		-
Boarding Kennels		-			C	C	C		C ⁽¹⁰⁾		-
Camping Parks		-			C	C	C		C		-
Child Care Facilities:											
Child Care Centers		L			L	-	L		L ⁽¹⁰⁾		-
Large Family Day Child Care Homes		L			L	-	L		L ⁽¹⁰⁾		-
Small Family Day Child Care Homes		P ^L			P ^L	-	P ^L		P ^L		-
Eating and Drinking Establishments Abutting Residentially Zoned Property		L			L	L	L		L		-
Fairgrounds		-			C	C	-		C		-
Golf Courses, Driving Ranges, and Pitch & Putt Courses		-			C	C	C		C		-
Helicopter Landing Facilities		-			C	C	C		C ⁽¹⁰⁾		-
Instructional Studios		P			P	P	C		C		-
Massage Establishments, Specialized Practice		L			L	L	-		-		-
Nightclubs & Bars over 5,000 square feet in size		-			C	C	C		C		-
Parking Facilities as a Primary Use:											
Permanent Parking Facilities		-			P	P	C		C		P
Temporary Parking Facilities		-			N	N	C		C		N
Private Clubs, Lodges and Fraternal Organizations		C			C	P	P		P		-
Privately Operated, Outdoor Recreation Facilities over 40,000 Square Feet in Size ⁽⁹⁾		-			C	C	-		C		-
Pushcarts:											
Pushcarts on Private Property		L			L	L	L		L		-
Pushcarts in Public Right of Way		N			N	N	N		N		-
Recycling Facilities:											
Large Collection Facility		N			N	N	N		N ⁽¹⁰⁾		-
Small Collection Facility		L			L	L	L		L ⁽¹⁰⁾		-

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones									
	1st & 2nd >>	CN ⁽¹⁾ -			CR-		CO-		CV-		CP-
	3rd >>	1-			1-	2-	1-		1-		1-
	4th >>	1	2	3	1	1	1	2	1	2	1
Large Construction & Demolition Debris <i>Recycling Facility</i>		-	-	-	-	-	-	-	-	-	-
Small Construction & Demolition Debris <i>Recycling Facility</i>		-	-	-	-	-	-	-	-	-	-
Drop-off Facility		L	L	L	L	L	L	L	L	L	-
Green Materials Composting Facility		-	-	-	-	-	-	-	-	-	-
Mixed Organic Composting Facility		-	-	-	-	-	-	-	-	-	-
Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic		-	-	-	-	-	-	-	-	-	-
Large Processing Facility Accepting All Types of Traffic		-	-	-	-	-	-	-	-	-	-
Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables From Commercial & Industrial Traffic		-	-	-	-	-	-	-	-	-	-
Small Processing Facility Accepting All Types of Traffic		-	-	-	-	-	-	-	-	-	-
Reverse Vending Machines		L	L	L	L	L	L	L	L	L	-
Tire Processing Facility		-	-	-	-	-	-	-	-	-	-
Sidewalk Cafes		N	N	N	N	N	N	N	N	N	-
Sports Arenas & Stadiums		-	C	C	C	C	C	C	C	C	-
Theaters that are outdoor or over 5,000 square feet in size		-	C	C	C	C	C	C	C	C	-
Urgent Care Facilities		N	N	N	N	N	N	N	N ⁽¹⁰⁾	N	-
Veterinary Clinics & Animal Hospitals		-	C	C	C	C	C	C	-	-	-
Zoological Parks		-	-	-	-	-	-	-	-	-	-
Offices through Signs [No change.]											

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones														
	1st & 2nd >>	CC-														
	3rd >>	1-			2-			3-			4-			5-		
	4th >>	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3
Open Space through Retail Sales [No change.]																
Commercial Services																
Building Services		-	-	-	-	-	-	-	-	-	P	P	P	P	P	P
Business Support		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Eating & Drinking Establishments		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Financial Institutions		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Funeral & Mortuary Services		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Maintenance & Repair		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Off-site Services		-	-	-	-	-	-	-	-	-	P	P	P	P	P	P
Personal Services		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																	
	1st & 2nd >>	CC-																	
		1-			2-			3-		4-					5-				
		1	2	3	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Assembly & Entertainment		P			P			P			P					P			
Radio & Television Studios		P			P			P			P					P			
Visitor Accommodations		P			P			P			P					P			
Separately Regulated Commercial Services Uses																			
Adult Entertainment Establishments:																			
Adult Book Store		L			L			L			L					L			
Adult Cabaret		L			L			L			L					L			
Adult Drive-In Theater		L			L			L			L					L			
Adult Mini-Motion Picture Theater		L			L			L			L					L			
Adult Model Studio		L			L			L			L					L			
Adult Motel		L			L			L			L					L			
Adult Motion Picture Theater		L			L			L			L					L			
Adult Peep Show Theater		L			L			L			L					L			
Adult Theater		L			L			L			L					L			
Body Painting Studio		L			L			L			L					L			
Massage Establishment		L			L			-			-					L			
Sexual Encounter Establishment		L			L			L			L					L			
Bed & Breakfast Establishments:																			
1-2 Guest Rooms		P			P			P			P					P			
3-5 Guest Rooms		P			P			P			P					P			
6+ Guest Rooms		P			P			P			P					P			
Boarding Kennels		C			C			C			C					C			
Camping Parks		C			C			C			C					C			
Child Care Facilities:																			
Child Care Centers		L			-			L			L					L			
Large Family Day Child Care Homes		L			-			L			L					L			
Small Family Day Child Care Homes		P	L		-			P	L		P	L				P	L		
Eating and Drinking Establishments Abutting Residentially Zoned Property		L			L			L			L					L			
Fairgrounds		C			C			-			C					C			
Golf Courses, Driving Ranges, and Pitch & Putt Courses		C			C			C			C					C			
Helicopter Landing Facilities		C			C			C			C					C			
Instructional Studios		C			C			C			C					C			
Massage Establishments, Specialized Practice		L			L			-			-					L			

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																			
	1st & 2nd >>	CC-																			
		3rd >>			1-		2-		3-		4-					5-					
		1	2	3	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5		
Nightclubs & Bars over 5,000 square feet in size		C			C			C				C					C				
Parking Facilities as a <i>Primary Use</i> :																					
Permanent Parking Facilities		P			C			P				P					P				
Temporary Parking Facilities		N			C			N				N					N				
Private Clubs, Lodges and Fraternal Organizations		P			C			P				P					P				
Privately Operated, Outdoor Recreation Facilities over 40,000 Square Feet in Size ⁽⁹⁾		C			C			-				C					C				
Pushcarts:																					
Pushcarts on Private Property		L			L			L				L					L				
Pushcarts in <i>public right-of-way</i>		N			N			N				N					N				
Recycling Facilities:																					
Large Collection Facility		N			N			N				N					N				
Small Collection Facility		L			L			L				L					L				
Large Construction & Demolition Debris <i>Recycling Facility</i>		-			-			-				-					-				
Small Construction & Demolition Debris <i>Recycling Facility</i>		-			-			-				-					-				
Drop-off Facility		L			L			L				L					L				
Green Materials Composting Facility		-			-			-				-					-				
Mixed Organic Composting Facility		-			-			-				-					-				
Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic		-			-			-				-					-				
Large Processing Facility Accepting All Types of Traffic		-			-			-				-					-				
Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables From Commercial & Industrial Traffic		-			-			-				C					C				
Small Processing Facility Accepting All Types of Traffic		-			-			-				C					C				
Reverse Vending Machines		L			L			L				L					L				
Tire Processing Facility		-			-			-				-					-				
Sidewalk Cafes		N			N			N				N					N				
Sports Arenas & Stadiums		C			C			C				C					C				
Theaters That Are Outdoor or over 5,000 Square Feet in Size		C			C			C				C					C				
Urgent Care Facilities		N			N			N				N					N				
Veterinary Clinics & Animal Hospitals		C			C			C				C					C				
Zoological Parks		-			-			-				-					-				
Offices through Signs [No change.]																					

§131.0622 Use Regulations Table for Industrial Zones

[No change.]

Table 131-06B
Use Regulations Table for Industrial Zones

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone designator	Zones							
	1st & 2nd >>	IP-		IL-			IH-		IS-
	3rd >>	1-	2-	1-	2-	3-	1-	2-	1-
	4th >>	1	1	1	1	1	1	1	1
Open Space through Retail Sales [No change.]									
Commercial Services									
Building Services	-	-	P	P	P	-	P	P	
Business Support	-	p ⁽⁸⁾	p ⁽⁸⁾	P	P	-	p ⁽⁸⁾	P	
Eating & Drinking Establishments	-	p ⁽⁷⁾	p ⁽⁷⁾	p ⁽⁷⁾	P	-	p ⁽⁷⁾	p ⁽⁴⁾	
Financial Institutions	-	P	-	P	P	-	-	P	
Funeral & Mortuary Services	-	-	-	P	P	-	P	-	
Maintenance & Repair	-	-	P	P	P	-	-	P	
Off-site Services	-	P	P	P	P	-	P	P	
Personal Services	-	-	-	p ⁽⁹⁾	p ⁽⁹⁾	-	-	-	
Assembly & Entertainment	-	-	-	p ⁽¹¹⁾	P	-	-	p ⁽¹²⁾	
Radio & Television Studios	-	P	P	P	P	-	P	P	
Visitor Accommodations	-	-	-	-	-	-	-	-	
Separately Regulated Commercial Services Uses									
Adult Entertainment Establishments:									
Adult Book Store	-	-	-	L	L	-	L	L	
Adult Cabaret	-	-	-	-	L	-	-	-	
Adult Drive-in Theater	-	-	-	L	L	-	-	-	
Adult Mini-Motion Picture Theater	-	-	-	L	L	-	-	L	
Adult Model Studio	-	-	-	L	L	-	-	-	
Adult Motel	-	-	-	-	-	-	-	-	
Adult Motion Picture Theater	-	-	-	L	L	-	-	L	
Adult Peep Show Theater	-	-	-	L	L	-	-	L	
Adult Theater	-	-	-	L	L	-	-	L	
Body Painting Studio	-	-	-	L	L	-	-	-	
Massage Establishment	-	-	-	-	L	-	-	-	
Sexual Encounter Establishment	-	-	-	-	-	-	-	-	
Bed & Breakfast Establishments:									
1-2 Guest Rooms	-	-	-	-	-	-	-	-	
3-5 Guest Rooms	-	-	-	-	-	-	-	-	
6+ Guest Rooms	-	-	-	-	-	-	-	-	

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Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone designator		Zones							
	1st & 2nd >>	IP-		IL-			IH-		IS-	
		3rd >>	1-	2-	1-	2-	3-	1-	2-	1-
			4th >>	1	1	1	1	1	1	1
Boarding Kennels			-	C	C	C	C	C	C	C
Camping Parks			-	-	-	-	-	-	-	-
Child Care Facilities:										
Child Care Centers			L	L	-	L	L	-	L	L
Large Family Day Child Care Homes			-	-	-	-	-	-	-	-
Small Family Day Child Care Homes			-	-	-	-	-	-	-	-
Eating and Drinking Establishments Abutting Residentially Zoned Property			-	-	-	-	L	-	-	-
Fairgrounds			-	C	C	C	C	C	C	C
Golf Courses, Driving Ranges, and Pitch & Putt Courses			-	C	C	C	C	C	C	C
Helicopter Landing Facilities			C	C	C	C	C	C	C	C
Instructional Studios			-	-	-	-	P	-	-	P
Massage Establishments, Specialized Practice			-	-	-	-	L	-	-	-
Nightclubs & Bars over 5,000 square feet in size			-	-	-	-	-	-	-	-
Parking Facilities as a Primary Use:										
Permanent Parking Facilities			C	C	P	C	P	P	P	C
Temporary Parking Facilities			C	C	N	C	N	N	N	C
Private Clubs, Lodges and Fraternal Organizations			C	C	C	C	C	C	C	C
Privately Operated, Outdoor Recreation Facilities over 40,000 square feet in size ⁽¹³⁾			C	C	C	C	C	C	C	C
Pushcarts:										
Pushcarts on Private Property			L	L	L	L	L	L	L	L
Pushcarts in Public Right of Way			N	N	N	N	N	N	N	N
Recycling Facilities:										
Large Collection Facility			L	N	N	N	N	L	L	N
Small Collection Facility			L	L	L	L	L	L	L	L
Large Construction & Demolition Debris Recycling Facility			-	-	N	-	C	C	N	-
Small Construction & Demolition Debris Recycling Facility			-	-	N	-	C	N	N	-
Drop-off Facility			L	L	L	L	L	L	L	L
Green Materials Composting Facility			-	-	N	-	N	N	N	-
Mixed Organic Composting Facility			-	-	C	-	C	N	N	-
Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic			-	C	L	L	L	L	L	C
Large Processing Facility Accepting All Types of Traffic			-	C	N	N	N	N	N	C
Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables From Commercial & Industrial Traffic			-	N	L	L	L	L	L	N
Small Processing Facility Accepting All Types of Traffic			-	N	N	N	N	N	N	N

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Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone designator		Zones						
	1st & 2nd >>		IP-		IL-		IH-		IS-
	3rd >>		1-	2-	1-	2-	1-	2-	1-
	4th >>		1	1	1	1	1	1	1
Reverse Vending Machines			L	L	L	L	L	L	L
Tire Processing Facility			-	-	C	-	C	C	-
Sidewalk Cafes			-	N	N	N	-	N	N
Sports Arenas & Stadiums			-	C	-	C	-	C	-
Theaters that are outdoor or over 5,000 square feet in size			-	C	-	C	-	C	-
Urgent Care Facilities			-	L	-	L	P	-	L
Veterinary Clinics & Animal Hospitals			-	C	C	C	P	C	C
Zoological Parks			-	-	-	-	-	-	-
Offices through Signs [No change.]									

§141.0606 Child Care Facilities

(a) This section regulates the following *child care facilities*:

- (1) ~~Large family day child~~ care homes: Any *child care facility* licensed by the State of California to provide *child regular care, protection and supervision of children* for 7 to 12 children in the child care provider's home, for periods of less than 24 hours per day, while the parents or authorized representatives are away. (Small family day care homes, which provide care for six or fewer children, are not subject to this section.)
- (2) Child care centers: Any *child care facility*, other than a small or large family day child care home, that is licensed by the State of California to provide child care: child care centers may be infant centers, preschools, or school-age, extended day care facilities.

(b) ~~Large Family Day~~ Child Care Homes

Large and small family day child care homes are a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (1) **Large Family Child Care Homes**
 - (A) A large family day child care home may provide care for up to 7-12 children (no more than 4 of whom may be infants), or for up to 14 children as stated in Section 141.0606(b)(1)(B). (including Maximum capacity shall not exceed the capacity specified on the provider's license and shall include children under the age of 10 who reside at the licensee's home and the assistant provider's

children under the age of 10.) for periods of less than 24 hours per day.

(B) A large family child care home may provide care for a total of 13 or 14 children if all of the following conditions are met in accordance with Health and Safety Code Section 1597.465:

(i) At least two of the children are at least 6 years of age, one of whom may be less than 6 years of age if enrolled in kindergarten; and

(ii) No more than 3 infants are cared for during any time when more than 12 children are being cared for; and

(iii) The licensee notifies parents or authorized representatives that the facility is caring for two additional school age children, and that there may be 13 or 14 children in the home at one time; and

(iv) The licensee obtains written consent of the property owner when the family day care home is operated on property that is leased or rented.

~~(2)~~ (C) The ~~day~~ child care provider shall comply with all state licensing requirements for large family day care homes.

~~(3)~~ (D) The day care provider shall comply with standards adopted by the State Fire Marshal pursuant to the California Health and Safety Code relating to large family ~~day~~ child care homes.

(2) Small Family Child Care Homes

(A) A small family child care home may provide care for up to 6 children (including 4 infants total or up to 3 infants where cared for in combination with other children), or for up to 8 children as stated in Section 141.0606(b)(2)(B). Maximum capacity shall not exceed the capacity specified on the provider's license and shall include children under the age of 10 who reside at the licensee's home.

(B) A small family child care home may provide care for a total of 7 or 8 children if all of the following conditions are met in accordance with Health and Safety Code Section 1597.44:

- (i) At least two of the children are at least 6 years of age, one of whom may be less than 6 years of age if enrolled in kindergarten; and
 - (ii) No more than 2 infants are cared for during any time when more than 6 children are being cared for; and
 - (iii) The licensee notifies parents or authorized representatives that the facility is caring for two additional school age children, and that there may be 7 or 8 children in the home at one time; and
 - (iv) The licensee obtains written consent of the property owner when the family day care home is operated on property that is leased or rented.
- (C) The child care provider shall comply with all state licensing requirements for small family child care homes.

(c) through (d) [No change.]

Issue #38 Refuse/Recycling Storage

§142.0805 When Refuse and Recyclable Materials Storage Regulations Apply

- (a) ~~This division applies to all multiple unit residential, commercial, and industrial development whether or not a permit or other approval is required for the development.~~ Refuse and recyclable materials storage shall be provided for the following types of development as indicated in Table 142-08A:
- (a) New residential development projects involving two or more dwelling units.
 - (b) New nonresidential development, or
 - (c) Additions to existing multiple dwelling unit residential, commercial or industrial development where the gross floor area would be increased by 30 percent or more.
- (b) ~~Table 142-08A shows the applicable regulations for specific types of development proposals.~~

Table 142-08A
Refuse and Recyclable Material Storage Regulations
Applicability

Comment [ajl1]: Need to add a link in the Zoning Tables to refer to this section. In Tables 131-04D through G, Tables 131-05C through E, and Table 131-06C add a row called “Refuse/Recyclable Material Storage”, that “applies” and add the applicable section reference. This link to zone development standards should help staff apply this requirement to projects more consistently than has been done in the past.

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Type of Development Proposal	Applicable Regulations	Required Permit Type/Decision Process
Development in of a single dwelling unit residential, agricultural, or open space zones	Exempt from this division	Exempt from this division
New residential Development in multiple unit residential zones involving two or more dwelling units	Sections 142.0810 and 142.0820	No permit required by this division
Development in commercial or industrial zones New nonresidential development	Sections 142.0810 and 142.0830	No permit required by this division
Additions to existing multiple dwelling unit residential, commercial, or industrial development where the gross floor area would be increased by 30 percent or more	Sections 142.0810, 142.0820 and 142.0830	No permit required by this division

Comment [ajl2]: The existing code ties the requirement to “zones” instead of the type of development per the state law requirement.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§142.0810 General Regulations for Refuse and Recyclable Material Storage

All new multiple unit ~~New residential, commercial, and industrial development~~ as indicated in Section 142.0805 shall provide on-site areas for the storage of refuse and *recyclable material* that meet the following standards.

- (a) Size of Material Storage Areas. The size of required material storage areas shall meet or exceed the minimum requirements in Tables 142-08B and 142-08C. ~~The storage areas shall be designed to accommodate standard-size containers and to be accessible by standard collection vehicles.~~
- (b) Location of Material Storage Areas
 - (1) Material storage areas may be located in a designated interior area that is not in a *dwelling unit*.
 - (2) Material storage areas may be located outside a *structure* in required rear *yards* or in required side *yards*. Exterior material storage areas shall not be located in any front *yard*, street side yard, *street yard* area, parking area, landscaped area, or any other area required by the Municipal Code to be constructed or maintained unencumbered according to fire or other applicable building or public safety laws.
 - (3) Material ~~S~~ storage areas shall be accessible to occupants and haulers.
 - (4) *Premises* served by an *alley* shall provide material storage areas that are directly accessible from the *alley*.
 - (5) One *sign* identifying the material storage area is required for each area and shall be posted on the exterior of the

Comment [ajl3]: No need for this statement since the size requirement for reviewers to apply is based on the Tables.

material storage area near the point of access. The maximum *sign copy area* permitted for each *sign* shall be one square foot.

- (6) For commercial *development* on *premises* not served by an *alley*, material storage areas shall be located at least 25 feet from any ~~pedestrian and vehicular access points~~ **street or sidewalk**.
- (c) *Screening of Material Storage Areas.* Material storage areas located outside any *structure* shall be *screened* with a minimum 6-foot-high solid *screening* enclosure that is designed to be architecturally consistent with the primary *structure*. Refuse, *recyclable material*, and material storage containers shall not exceed the height of the solid *screening* enclosure.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§142.0820 Refuse and Recyclable Materials Storage Regulations for Multiple Unit Residential Development

All new multiple unit **Applicable** residential *development* **in accordance with Section 142.0805**, shall provide interior and exterior refuse and recycling storage areas as specified below:

- (a) Interior Refuse and *Recyclable Material* Storage. Each ~~dwelling unit~~ **dwelling unit** shall be equipped with an interior refuse and *recyclable material* storage area **of at least 5 cubic feet. The storage area shall consist of at least 2.5 cubic feet for recyclable material and at least 2.5 cubic feet for non-recyclable material.**
- (b) Exterior Refuse and *Recyclable Material* Storage. Each *structure* that contains ~~dwelling units~~ **dwelling units** shall provide at least one exterior storage area. The ~~minimum size of the total of all storage areas~~ **requirement** is based on the number of ~~dwelling units~~ **dwelling units** in the *development* as shown in Table 142-08B **and includes the sum of all residential material storage areas located outside of individual dwelling units.**

**Table 142-08B
Minimum Exterior Refuse and
Recyclable Material Storage Areas for
Multiple Unit Residential Development**

Number of Dwelling Units Per Development	Minimum Refuse Storage Area Per Development (Square Feet)	Minimum <i>Recyclable Material</i> Storage Area Per Development (Square Feet)	Total Minimum Storage Area Per Development (Square Feet)
2-6	12	12	24
7-15	24	24	48

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Number of Dwelling Units Per Development	Minimum Refuse Storage Area Per Development (Square Feet)	Minimum <i>Recyclable Material</i> Storage Area Per Development (Square Feet)	Total Minimum Storage Area Per Development (Square Feet)
16-25	48	48	96
26-50	96	96	192
51-75	144	144	288
76-100	192	192	384
101-125	240	240	480
126-150	288	288	576
151-175	336	336	672
176-200	384	384	768
201+	384 plus 48 square feet for every 25 dwelling units above 201	384 plus 48 square feet for every 25 dwelling units above 201	768 plus 96 square feet for every 25 dwelling units above 201

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)
(Amended 3-1-2006 by O-19468 N.S.; effective 4-1-2006.)

§142.0830 Refuse and Recyclable Material Storage Regulations for Commercial and Industrial Nonresidential Development

- (a) All new ~~commercial and industrial~~ nonresidential development, or additions to existing commercial or industrial development where the gross floor area would be increased by 30 percent or more, shall provide at least one exterior refuse and *recyclable material* storage area for each building. The ~~minimum size of the total~~ storage area requirement is based on the gross floor area of the nonresidential buildings on the premises, as shown in Table 142-08C and includes the sum of all nonresidential refuse and *recyclable material* storage areas.
- (b) Where a development includes residential as part of a mixed use project, the development shall provide refuse and *recyclable material* storage for the residential portion of the project in accordance with Table 142-08B, in addition to the storage areas required by Table 142-08C for the nonresidential development.

Table 142-08C
Minimum Exterior Refuse and Recyclable Material Storage Areas
for Commercial and Industrial Nonresidential Development

Gross Floor Area Per Development (Square Feet)	Minimum Refuse Storage Area Per Development (Square Feet)	Minimum <i>Recyclable Material</i> Storage Area Per Development (Square Feet)	Total Minimum Area Per Development (Square Feet)
0-5,000	12	12	24

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Gross Floor Area Per Development (Square Feet)	Minimum Refuse Storage Area Per Development (Square Feet)	Minimum <i>Recyclable Material</i> Storage Area Per Development (Square Feet)	Total Minimum Area Per Development (Square Feet)
5,000-10,000	24	24	48
10,001-25,000	48	48	96
25,001-50,000	96	96	192
50,001-75,000	144	144	244
75,001-100,000	192	192	384
100,001+	192 plus 48 square feet for every 25,000 square feet of building area above 100,001	192 plus 48 square feet for every 25,000 square feet of building area above 100,001	384 plus 96 square feet for every 25,000 square feet of building area above 100,001